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September 17, 2013

BY EMAIL

John J. Lanigan  
United States Probation Officer  
Eastern District of New York

Re: United States v. Lance Schoner  
11 Cr 486 (DLI)

Dear Officer Lanigan:

In accordance with Judge Irizarry's *Standard Requirements for Criminal Cases* and Fed.R.Crim.P. 32(f), this letter is to advise the Probation Department of the defendant's proposed objections or clarifications to the Pre-Sentence Report ("PSR").

First, paragraph 48 of the PSR refers to the actions of an "attorney" who represented Mr. Schoner in connection with a civil action initiated in the Southern District of New York. Because the lawyer is not identified, I want it to be made clear in the report that I was not Mr. Schoner's attorney in this ill-advised civil action. And, that when I became Mr. Schoner's lawyer not long after his arrest in the case at bar, he immediately directed the civil action to be withdrawn.

Last, paragraph 129 of the PSR states that Mr. Schoner's wife's name is Sara. Her name is "Cara." And, the report states in the same paragraph that Mrs. Schoner advised that her recent "treatment [for large B-cell lymphoma] was successful and that she is in remission." Mrs. Schoner has informed me that there must have been a misunderstanding - that what she said, in sum and substance, was that she hopes her treatments, to date, went well and result in remission of her cancer.<sup>1</sup>

Respectfully submitted,

/JRF/

James R. Froccaro, Jr.

JRF:pa

cc: Hon. Dora L. Irizarry, by ECF and regular U.S. Mail  
AUSA Steven L. Tiscione, by ECF

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<sup>1</sup> Unfortunately, at this very early stage there is no definitive answer to that question. This is an issue I will address more fully in my pre-sentence motion to the Court.